

Received By
City of Liberty Lake

JAN 12 2007

January 12, 2007

City Clerk/Treasurer
Initials. 

City of Liberty Lake

Planning Commission Members:

Steve McElvain, Bill Jeckle, Jeff Hoover, Sheila Bell, Neal Olander, Craig Singer, Stan Jochim, and Randy Grinalds
22710 E. Country Vista Blvd
Liberty Lake, WA 99019

RE: Comments on UGA Boundary Alternatives

Dear Members of the Planning Commission:

As you deliberate on the proposed UGA alternatives, there are a few things that I would ask you to consider very carefully before your recommendation.

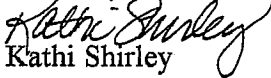
- The GMA is not "forcing" a certain amount of growth. This is growth that has been asked for by the city officials with no public input or input from your board.
- There is sufficient land in the city to support this additional population with zoning changes. When was the last time the City of Liberty Lake turned down a zoning change (at least one that wasn't completely against the GMA rules)? Why is it a problem to think about doing it again in the future?
- The area in the SW UGA proposal is not suitable for urban development. Even the 1200 acres in the "Preferred Alternative" is topographically very difficult to develop without destroying the land. Whose pocketbooks are you willing to pilfer to pay for building and, more costly than that, maintaining this? The urban services will be expensive and difficult to provide to this area, such as sewer, water, stormwater drainage, and roads. If the UGA remains where it is, costs to providing these services will be dramatically easier and less expensive. Less is more, so to speak.
- Speaking of paying for it, where is the Capital Facilities Plan that will explain how it will be paid for? Oops, not done yet. It's like buying a car without even knowing the price. But if it isn't your car payment maybe you just don't care.
- The areas in both the SW and NW UGA areas are all in the Critical Aquifer Recharge Area. Protecting the aquifer is protecting the future of the entire Spokane area.
- The traffic modeling has not been done (reference the Washington Department of Transportation and Spokane County Engineering & Road comments on the DEIS) to show the impact of adding these areas to our transportation system. Keeping the UGA as it stands will also affect transportation, but much less any of the other alternatives.
- Area wide planning has been completely absent from the process. The City of Spokane Valley and the County of Spokane have both referenced this in their DEIS comments. Let's just decide what we want to do without asking our

neighboring jurisdictions, shall we? How will Liberty Lake respond when the same tactic is thrown back at it? Think about this because you will be dealing with this from litigious agencies.

- Schools are not "concurrent" planning issues. So if it is not required, it doesn't matter if it makes sense to consider. Do you want to be a role model to young people as officials who don't really care about education? I find it very interesting that the City of Liberty Lake's Comprehensive Plan says that it **must** consider whether facilities are available before approving development requests, but it is blithely ignoring this when determining the future of the community through the UGA expansion and development proposals.
- An overwhelming majority of citizens in the community have spoken against moving the UGA. Although you are not elected, you are still representatives of this community. I have had complete strangers stop me to thank me for standing up for the community. Can you say the same?

I hope that you will take the only recommendation that makes sense and vote for Alternative 1, No Action.

Sincerely,


Kathi Shirley

2002 S. Zephyr Road
Liberty Lake WA 99019

Amanda Tainio

From: Antlerpaul@aol.com
Sent: Thursday, January 11, 2007 2:47 PM
To: dsmith@libertylakewa.gov; atainio@libertylakewa.gov
Subject: uga

Let the record show that we the undersigned are unequivocally opposed to any expansion of the UGA at this time.

There is not adequate schools, infrastructure or community support at his time to allow such a move. If this move was made at this time the cost would be borne on the backs of current residents, not those profiting from it.

This proposed expansion is in our opinion, ill conceived and poorly thought out.

Sincerely,

Paul Shields
Heather Amity
Pam Orbaugh
Ed and Margaret Shields
Keith and Brenda Shields

Liberty Lake Washington
Contact for above: 255 6451

Please e-mail an acknowledgement of this letter to antlerpaul@aol.com

1/12/2007



STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE

2315 N Discovery Place • Spokane Valley, Washington 99216-1566 • (509) 892-1001 FAX (509) 921-2440

January 9, 2007

City of Liberty Lake Planning Commission
Attn: Doug Smith, Planning and Community Development Director
22710 E. Country Vista Drive
Liberty Lake, WA 99019

Dear Planning Commission Chairman Olander:

SUBJECT: UGA Expansion and FEIS Preferred Alternative

The Washington Department of Fish and Wildlife (WDFW) would like to provide the following comments on the Preferred Alternative as well as the other Alternatives that are under consideration by the Planning Commission as part of the UGA expansion proposal process. This comment letter is prepared in response to the continuation of the Planning Commission Meeting on January 17, 2007, and to the Public Notice from the Planning and Community Development Department allowing written public testimony regarding the proposed UGA expansion and preferred alternative until 4:00 pm January 12, 2007.

The purpose of integrating the SEPA process and the Growth Management Act (GMA) is so that planning jurisdictions use environmental review on projects to help 1) review document consistency with GMA plans and regulations; 2) identify any impacts and mitigation needs that had not been considered at the plan level; and 3) provide the opportunity for review by agencies, tribes, and the public (1998, *Washington Department of Ecology, Publication # 98-114*). WDFW plays a key role in this planning process by providing scientific information to support the protection of priority fish and wildlife species and habitats that will potentially be impacted by development.

The City of Liberty Lake sent out a Scoping Notice in October 2006 as the first step towards the preparation of an Environmental Impact Statement. WDFW provided comments on the proposed UGA expansion for the Scoping Notice. The major points made by WDFW in its Scoping Notice comments, which remain relevant to the current EIS alternatives, include:

- The City does not appear to have adequately explored infill of the existing urban area as part of the presented Alternatives.
- The City has not adequately identified critical areas within the proposed UGA expansion areas prior to putting out the proposed alternatives. RCW 36.70A.060 calls on counties to designate resource lands and critical areas first, so expansion of the UGA into resource lands and large associations of known critical areas can be avoided and protected as is required under GMA.
- Best Available Science shows that bringing the development closer to the natural environment puts the habitat at greater risk for degradation and fragmentation. Saltese Flats, a wetland habitat area critical for waterfowl and other water associated wildlife is within the proposal area, as is Quinnamose Creek watershed, Liberty Lake watershed, and numerous springs and small creeks.
- All of the Alternatives (with the exception of Alternative 1, No Expansion, and Alternative 3, NW Expansion only) propose expanding into areas southwest of the current UGA, which contains many critical areas, including priority habitats, steep slopes, wetlands, and springs.
- Alternative 3, Northwest expansion contains the Spokane River and associated shoreline habitat. The Spokane River is a Type 1 water and a Shoreline of State Significance, and must be evaluated for potential impacts from siting 250 acres of new urban development.
- The City of Liberty Lake currently lacks natural open space. While there are several neighborhood parks and golf courses, there has been no emphasis placed on the preservation of open space for the conservation of fish and wildlife habitat. RCW 36.70A.160 requires that the city to "identify open space corridors within and between urban growth areas (UGAs)". This is an important step when planning for UGA expansion and when identifying lands useful for wildlife habitat and connectivity between critical areas.

WDFW received an email that the City received the comments, unfortunately, none of the recommendations that WDFW provided were incorporated into the Draft Environmental Impact Statement document that the City prepared and circulated for review just 3 weeks later. Instead of carefully identifying the fish and wildlife habitat conservation areas and other critical areas and then avoiding these areas with the proposed expanded UGAs, the City proposed urban development in and immediately adjacent to critical areas. All of the Alternatives offered under the Scoping Notice were retained for analysis under the Draft EIS (DEIS), and therefore WDFW provided comments on the DEIS reiterating its concerns on the impacts of urban expansion on fish and wildlife resources.

Adequacy of the DEIS

The GMA also requires local jurisdictions to include the best available science in the development of policies and development regulations used to both designate and protect the functions and values of critical areas (RCW 36.70A.172). The Legislature considered the requirement for best available science an important step toward regulatory reform and timely permitting of projects.

Below is a summary of the comments provided by WDFW for the DEIS Alternatives. WDFW remains concerned with the adequacy of the DEIS, noting that among the eight alternatives explored, the City has cut and pasted much of its text and analysis. Under Scoping, WDFW suggested that the City do more and seriously explore options under the Alternatives. This suggestion does not appear to have been seriously considered by the City in its 2-week preparation of this document.

WDFW remains concerned with the items noted in its December 1, 2006 comment letter on the DEIS. These concerns include the lack of analysis of and consideration for infill within the existing urban area as an alternative to UGA expansion and inadequate consideration of critical areas and other limiting factors in the southwest proposed expansion alternatives, including substandard roads, steep slopes, rock outcroppings, springs, aquifer recharge areas, stormwater management issues, floodplains, wetlands, Priority Habitats and Species, wildlife corridors, and erodible soil types. Mitigation for such a proposal could include permanent protection of the wetland and waterfowl area of Saltese Flats, as well as a "natural area" proposal for the Spokane River property.

Alternative 3- NW Proposal, if done correctly, appears to have the least potential impacts to known fish and wildlife resources in the area. At this time, WDFW still suggests that the City work within its current UGA to provide infill opportunities before expanding into Urban Reserve areas. The Spokane River is a Type 1 water and a Shoreline of State Significance. Putting 250 acres on the river into Urban Development puts the environment, in this case the river, at high risk for impacts. Therefore, development of this site needs to be well planned in order to accommodate the future growth, consistent with the Urban Reserve category.

The City has a prime opportunity to preserve of the remainder of the property as a natural area that is consistent with the SMA and the current and future SMP, providing protection for the river and natural open space within the jurisdiction. A review and synthesis of relevant scientific literature, as summarized in the WDFW publication titled "*Management Recommendations for Washington's Priority Habitats: Riparian*" (Knutson and Naef 1997) shows that buffers of 250' along Type I streams will offer adequate protection to riparian function. The area could also contribute to the city's quality of life as a natural area and function as an important open space corridor function.

WDFW remains concerned with Alternatives 4, 5, 6, and 7, as detailed in our December 1, 2006 letter on the DEIS. Best Available Science shows that bringing the development closer to the natural environment puts the habitat at greater risk for degradation and fragmentation. The proposal to expand the UGA into the southwest area will affect two watersheds as well as Saltese Flats, which contains extremely valuable habitat for migratory waterfowl and springs contributing to aquifer recharge. Portions of the Liberty Lake watershed are within the proposed UGA. In addition, the entire SW proposal area is covered with springs that arguably contribute to groundwater recharge as well as the hydrology of the Quinnamose Creek watershed. As pointed out by Brenda Sims, Spokane County Stormwater Utility Manager, steep slopes, erodible soils, and surface

hydrology make the area east of Henry Road particularly difficult to develop in regards to stormwater.

Quinnamose Creek is a Type F (Type 3) water and has Priority Habitat cottonwood galleries and aspen groves surrounding it in the riparian area. Bringing urban growth closer to this watershed will have direct and indirect impacts on water quality and fish habitat. As stated before, Henry Road will undoubtedly have to be improved, a project that will require culvert upgrades. While this will benefit fish, the road project will result in a loss of priority habitats.

While Alternative 5 removes Saltese Flats and some of the Liberty Lake Watershed from the proposed expansion area, there will still be impacts to groundwater recharge and the hydrology of Quinnamose Creek watershed from putting the remainder of the SW proposal into urban densities. As stated before, Henry Road will undoubtedly have to be improved, a project that will require culvert replacement and will result in a loss of priority habitats.

Unfortunately, DEIS comments submitted by WDFW on the Alternatives did not result in an improved analysis in the final EIS. As a result, WDFW remains concerned that there is a lack of scientific documentation in its evaluation of each Alternative. For example, PHS data does not appear to have been included in the analysis. A comprehensive collection of scientific information is among one of the many reasons that a thorough DEIS typically takes months to complete.

Relationship to the Liberty Lake Critical Areas Ordinance

All of the Alternatives, with the exception of Alternative 1 (No Action) and Alternative 3 (NW proposal with protection provided under the Shoreline Master Program) appear to be in conflict with the City's own CAO. The CAO identifies Wetlands, Fish and Wildlife Conservation Areas, Geohazard Areas, and Critical Aquifer Recharge area. The language in the Liberty Lake Critical Areas Ordinance pledges to provide both protection and enhancement of all of these areas. Developing at urban densities in and directly adjacent to these identified critical areas will threaten their function and will not provide enhancement.

New preferred Alternative 8

The introduction of a new Alternative (Alternative 8) as a part of the Final Draft of the Environmental Impact Statement raises further questions about the adequacy of EIS. This Alternative was unveiled to the public and the agencies without prior review and was labeled the Preferred Alternative. WDFW is happy to provide comment on Alternative 8 at this time.

Although this alternative reduces the acreage for UGA expansion and does remove the property zoned Rural Conservation, there remain potential fish and wildlife resource impacts in two watersheds: Liberty Lake and Saltese Flats, including Quinnamose Creek.

- 1) Urban Reserve designation means urban densities in the future, and therefore stormwater issues that will be inevitable with development of steep slopes, as well as water quality issues should be addressed in the EIS.
- 2) There will be adverse impacts to Quinnamose Creek and associated priority habitats with the placement and improvement of required infrastructure to support urban development.
- 3) As noted above, WDFW has serious concerns with the proposal for development at urban densities next to Saltese Flats. This habitat is of high value as a wetland and provides critical habitat for waterfowl and other water associated species of birds and wildlife. Bring urban development right up to the boundaries of this area will have serious impacts for this habitat, including water quality impacts from polluted stormwater runoff, predation by domestic pets, potential interruption of aquifer recharge functions, and increased sedimentation related to development on erodible soils.

Again, the GMA also requires local jurisdictions to include the best available science in the development of policies and development regulations used to both designate and protect the functions and values of critical areas (RCW 36.70A.172). The WDFW and the Department of Ecology jointly published a two- volume set of guidelines for wetlands in Washington. *Wetlands in Washington - Volume 1: A Synthesis of the Science* (Publication #05-06-006) is a joint publication between both the Washington Department of Fish and Wildlife and the Washington Department of Ecology. Volume 1 is a synthesis of science regarding freshwater wetlands. One of the key findings of the synthesis of the science in Chapter 3 of Volume 1 identifies habitat fragmentation (elimination of habitat links between wetlands) as one of the significant, adverse effects of urbanization on biodiversity. Other language include in Volume 1 adds science to support the statement of risk of degradation from urban development:

“If wetlands are located in an area zoned as urban or residential and the area serves to recharge an aquifer, then the risk to these wetlands is high as a result of the impervious surfaces created. Creating impervious surface in areas where water infiltrates rapidly into groundwater creates a risk to wetlands that rely on that groundwater.”

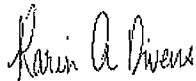
The second volume, *Wetlands in Washington - Volume 2: Guidance for Protecting and Managing Wetlands* (Publication #05-06-008) (WDFW and WDOE publication) translates the science synthesized in Volume 1 into guidance for local governments protecting and managing wetlands. The revision of a zoning ordinance and zoning an area that was previously rural as urban to accommodate growth is referenced as a risk to wetland function in this publication. The potential disturbances that may result from this action include changing the patterns of water flow, increasing the input of nutrients and toxic compounds, and causing fragmentation of habitat on the landscape. Another identified risk is the re-zoned from low- to high-density residential. This land-use action

would result in changes in the patterns of water flow, introduction of toxics from lawn care, and increase the disturbance to wildlife by introducing more predation by pets (Wetlands in Washington State Chapter 10 Volume 2 – Protecting and Managing Wetlands 10-5 April 2005).

Best Available Science reiterates that by avoiding to the fullest extent possible the urbanization of critical areas, the City will be providing protection to ensure ecological function and value far more adequately than is possible at a later, a project-level assessment and mitigation. In addition, the City can avoid permitting delays for developers and uncertainty for property owners in the future by not zoning the land for an intensity of development that is not truly achievable given the presence of critical areas.

Thank you for your careful consideration of these comments as you evaluate the presented UGA Alternatives and make a recommendation to the City Council on this important decision.

Sincerely,



Karin A. Divens
PHS/GMA Biologist
(509) 892-1001 x 323

cc: Mark Wachtel, RHPM, email
Jennifer Hayes, WDFW PHS/GMA Coordinator, email
David Anderson, CTED, email
Dee Caputo, CTED, email
John Pederson, Spokane County, email

**To: Liberty Lake Planning Commission
Doug Smith
Liberty Lake Planning Dept.
27710 E. Country Vista Dr.
Liberty Lake, Washington 99019**

From: Karen and Art Toreson
1513 Lilac Lane
Liberty Lake, Washington 99019

Received By
City of Liberty Lake

JAN 12 2007

City Clerk/Treasurer
Initials JS

Re: Movement of UGA

Date. January 11, 2007

We are asking for your support to oppose moving the UGA for the following reasons.

- The Planning Commission and the public were not involved in establishing the proposed population allocation.**
- An overwhelming majority of the Liberty Lake community has voiced their opposition to the UGA movement. The community collective voice has asked the city government to listen and act based on their concerns.**
- It is fiscally irresponsible to estimate what the public will have to finance to provide future infrastructure. The citizens are becoming the credit card for the developers.**
- City and county officials need to stop pushing development at any cost and plan for "smart growth" within the existing boundaries. There is evidence in the Land Quality Analysis that the city can indeed accommodate the larger population number within the current boundaries.**
- The Land Quality Analysis by the city ignores many environmental concerns. (Stormwater issues, Fish and Game concerns)**
- East Valley School District has not been contacted in the EIS process..**
- There is a need for regional cooperation, which is not happening.**
- In accordance with the City of Liberty Lake's Capital Facilities Plan and State Law they must show they can provide services for infrastructure and they have not. See attached Jurisdiction Standards and RCW 58.17.110.**

-The new preferred proposal is not part of the DEIS.

-Public participation is the whole underpinning of the Growth Management Act and it has not been in this process. Public participation is shaping the future and having an effect on the outcome, not just sitting in the chair..

-The City of Liberty Lake has consistently minimized the Central Valley School issue and their lack of adequate space for students. Lack of space is critical now and will only get worse with just the currently approved developments.

-In Alternative 8 the proposal of a change in designation of County zoning from Rural Conservation to Urban Reserve is a very large change. This needs to be specifically addressed as part of the SEPA process.

Please respect our participation. Liberty Lake has been discovered and there will be growth. Let's have "Smart Growth" that does not compromise our environment and quality of life. We urge you to HOLD THE LINE and oppose moving the UGA.

Thank you for all the work you do for our community. Thank you for your consideration.

<u>The Spokane County Comprehensive Plan</u>	
<p>Requires:</p> <ol style="list-style-type: none"> 1. Jurisdictions to coordinate with individual school districts to ensure that school sites and facilities meet educational needs of Spokane County residents. 2. "Level of service" for public schools be determined by individual school districts. 3. Development shall be approved only after it is determined that public facilities and services will have capacity to serve the development without decreasing levels of service below adopted standards. 4. Adequate public facilities, including schools, will be provided to support development concurrent with impacts of such development. 	<p>CF. 9</p> <p>Section CF p.6</p> <p>Section CF.3.1</p> <p>Section CF.3.5</p>
<u>City of Liberty Lake Capital Facilities Plan</u>	
Acknowledges GMA goals and county planning guidelines	P. 2 and 3
<p>Requires:</p> <ol style="list-style-type: none"> 1. Public facilities in the City of Liberty Lake be adequate without decreasing current service levels below locally established standards to serve development at time development is available for occupancy. 2. Levels of service for schools be determined by Central Valley School District's Capital Facilities Plan. 	<p>P. 2</p> <p>P. 8</p>
3. Capacity of public facilities must be considered when making development decisions	P. 7
4. The city work with (Central Valley School District) to ensure a consistent level of service is maintained and that such services are available timely in areas annexed to the city.	P. 7

templated the public safety and welfare, the violation could not be remedied, and the developer could never comply with the conditions. *HJS Development, Inc. v. Pierce County ex rel. Dept. of Planning and Land Services* (2003) 148 Wash.2d 451, 61 P.3d 1141, reconsideration denied. Zoning And Planning ☞ 472.5

7. Review

Since developer failed to raise before trial court or the court of appeals non-

ren

compliance with this section requiring county board of commissioners to support its denial of plat application and findings of fact and conclusions of law and § 58.17.140 requiring board to act on preliminary plat application within 90 days of filing of the applicant's final environmental impact statement, non-compliance with these sections could not be raised for first time on appeal. *Buchsieb/Danard, Inc. v. Skagit County* (1983) 99 Wash.2d 577, 663 P.2d 487. Zoning And Planning ☞ 743

58.17.110. Approval or disapproval of subdivision and dedication—Factors to be considered—Conditions for approval—Finding—Release from damages

(1) The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine: (a) If appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) whether the public interest will be served by the subdivision and dedication.

(2) A proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that: (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the proposed subdivision and dedication. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090 may be required

January 11, 2006

1525 S. Lilac Lane
Liberty Lake, WA 99019

FEIS Comments
Planning & Community Development Dept.
22710 E. Country Vista Dr.
Liberty Lake, WA 99019

Received By
City of Liberty Lake

JAN 11 2007

City Clerk/Treasurer
Initials 

RE: Written Testimony on the Final Environmental Impact Statement on Expanding the Urban Growth Area

Dear Mr. Smith and Planning Commission:

Thank you for taking the time to thoughtfully review the comments from citizens. We all understand that this is a controversial issue and people have passionate views. I appreciate your efforts to listen to citizen input.

I am in favor of development and have no problem with the City expanding its boundaries to incorporate new housing developments. Landowners should be allowed to build on their land and if inclusion in the City will help to protect the quality of life we all moved here to enjoy then I am in favor of annexations as well.

However, I do believe that existing zoning should be left unchanged and land owners should be required to develop according to existing zoning. No one bought their land without understanding the zoning regulations so no one should be upset that they are being held to existing zoning standards.

Expanding the UGA to promote growth in this area does not make sense to me. People want to live here because of the beautiful natural surroundings. Covering our hillsides with massive housing developments and filling the lowlands with massive strip malls will destroy the nature of Liberty Lake. I believe that the existing proposal to rezone land and promote growth is simply too much. I urge the City to plan for the growth it is currently experiencing before undertaking actions to promote even more growth.

There is a difference between Planning for Growth and Promoting Growth

The Planning and Community Development Department is focusing not on **Planning** for Growth but on **Promoting** Growth, and they are creating the very problems they are supposedly trying to solve.

Planning for growth is what a City Planning department should do. This involves making sure that you have all the infrastructure in place to handle your population. Things like roads, schools, utilities, storm water management and other aspects of a city that protect our quality of life.

Promoting growth is what developers do. Promoting growth is when you buy land and build on it to create stores, houses, factories and other things that make Cities grow.

There is nothing wrong with promoting growth. I am pleased to see that the City has done so much to promote growth in our area. However, I believe the proposed expansion will promote growth beyond a reasonable level. The City of Liberty Lake is growing at a faster pace than any other City in the area. The City of Spokane projects a 35% increase in growth over the next 20 years. The City of the Spokane Valley projects a 39% increase in growth. The City of Liberty Lake is projecting a 263% increase over 20 years. That kind of growth will quickly be unmanageable and we will not be able to adequately plan for it. We are already facing a disaster with overcrowded schools.

What would happen if we didn't plan for growth?

The most compelling question in my mind is what would happen if we didn't plan for growth. If we don't plan more roads and transportation improvements, we'll have more traffic. If we don't plan more schools we'll have overcrowded schools. If we don't plan more infrastructure we won't have enough utility capacity. I would urge the City to continue to plan for growth in these and other critical areas that so affect the lives of citizens. Thus far I think the City has done well, but as the population continues to expand, City Officials will need to continue to be diligent to stay ahead of the population growth. I would argue that we have already crossed the line on schools. My two children cannot go to the same elementary school because of overcrowding.

What would happen if we didn't expand the UGA?

Because expanding the UGA is not Planning for growth, but rather Promoting growth, there are no negative impacts from not expanding the UGA. What would happen if we didn't expand the UGA? There would be less congestion on our roads, less crowding in our schools, less burden on our infrastructure, and more preservation of the natural beauty around Liberty Lake. The only negative outcome that has ever been put forward is that housing prices would rise. This is not a negative outcome. Rising housing prices are an indication of the value of living someplace. There is a reason that housing prices rise in nice places – people want to live there. If the City manages growth and more people want to live here and housing prices go up you have done your job well!

The City should manage growth, growth should not manage the City. I don't want to see us throw up our hands and say we've got to do whatever it takes to accommodate more people. We should control our own destiny. In fact UGAs are one of the primary tools to managing growth. I encourage the City to embrace the existing UGA and manage growth in such a way that we don't have overcrowded schools, congested roadways and overburdened utilities.

The UGA expansion is really just a rezoning effort

I believe this whole Urban Growth Area discussion is about one thing: rezoning land from Rural Traditional to High Density Urban. This has nothing to do with providing infrastructure for our City. It has nothing to do with planning for the growth we are

currently experiencing or will experience. It is about promoting growth - promoting growth by rezoning land so a developer can build on it. That's it.

While the fledgling community of Liberty Lake struggles to deal with existing growth, instead of focusing on planning infrastructure and schools, the Planning and Community Development Department is focusing on promoting even more growth.

Here are some facts:

1. In 2004 and 2005 BRMC Investments (Blackrock) bought 985.1 acres of land south of the City of Liberty Lake.
2. This land is zoned mostly Rural Traditional, about a third Rural Conservation and a small portion is Urban Reserve. The reason they got the land so cheap at a mere \$3,268 per acre is that it was zoned Rural Conservation and Rural Traditional.
3. They want to make money by rezoning this land and developing lots of houses on it. Houses that will surely sell for millions of dollars per acre.
4. They can't do this if they don't get the zoning changed.
5. This land is in the middle of the proposed UGA boundary change and is included in all but 2 of the options. It is also about half of the area of all the alternatives. So it is a big part of this whole scheme. In fact, it is the reason for the whole thing.

Are there other reasons for Expanding the UGA?

There are seven reasons put forth in the FEIS for expanding the UGA.

If the City manages growth at a reasonable level then the following reasons disappear.

- To ensure consistent and realistic planning be implemented – Because about 15,500 new people are coming to Liberty Lake
- To ensure densities within the City limits will not have to significantly increase to accommodate growth - Because an additional 6,200 housing units will need to be built
- To meet WA State Growth Management Act planning requirements – Because it is the City's statutory responsibility to accommodate anticipated growth
- To ensure local influence on development outcomes - Because 1600 acres of residential land are needed for development, and currently only 226 acres of vacant residentially zoned land is available within existing City boundaries

We simply don't have to accept such a large population allocation. We can control our own destiny.

The next reason for expanding the UGA is:

- To ensure an adequate tax base for future sustainability – Because Liberty Lake citizens have come to expect a high level of service

Promoting growth to ensure an adequate tax base is not a good reason to expand the UGA. The new development will come with many new demands on the City. It is unclear that the new development will be a net gain to the City. The current tax base is adequate to sustain the current population and expanding a UGA to get more taxes to pay for the

new costs from the people in the expanded area is not a reason to expand the UGA, but rather a cause and effect relationship.

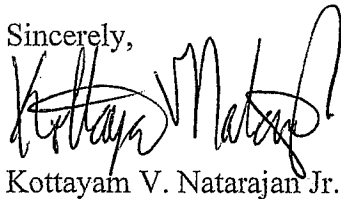
That leaves the following reasons for expanding the UGA.

- To provide CVSD additional land for school construction - Because an additional 4,650 school aged children will be living in Liberty Lake
- To ensure preservation of environmentally sensitive areas through locally adopted standards - Because an additional 150 acres of open space is needed to maintain adopted Levels of Service

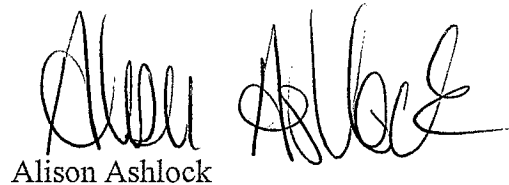
We don't need to expand the UGA in order to provide schools or open space. In fact, not expanding the UGA will reduce the pressure on both the school system and the environment.

Thank you again for considering our comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kottayam V. Natarajan Jr.', written over the printed name.

Kottayam V. Natarajan Jr.

A handwritten signature in black ink, appearing to read 'Alison Ashlock', written over the printed name.

Alison Ashlock

January 4th, 2007

Doug Smith,
City of Liberty Lake
22710 E. Country Vista Blvd.
Liberty Lake WA.

Ref: Preferred Alternative

From: David & Dana Henry
20810 E. 1st Avenue
Greenacres, WA. 99016

We are in support of the preferred alternative proposal, if we can help in anyway please
feel free to call.

David M Henry

Property Owner

Received By
City of Liberty Lake

JAN 08 2007

City Clerk/Treasurer
Initials 

JAN 10 2007

City Clerk/Treasurer
Initials 

MY 2 CENTS WORTH

- 1. THE CITY OF LIBERTY LAKE MUST MANAGE GROWTH, NOT LET GROWTH MANAGE IT.**
- 2. PROVIDE INFRASTRUCTURE FOR THE PRESENT, AS WELL AS, THE ORIGINAL PROJECTED 15K POPULATION, FOR WHICH THE LAND IS ALREADY AVAILABLE.**
- 3. BEFORE THINKING OF URBAN GROWTH EXPANSION INTO AREAS, THAT ARE LEFT FOR GREEN SPACE, AND THE PRISTINESS OF LIBERTY LAKE. THINK OF WHAT ATTRACTS PEOPLE TO LIBERTY LAKE, IF YOU DO NOT, YOU WILL TAKE AWAY THE REASON, FOR WHICH PEOPLE MOVE TO THE LAKE.**
- 4. REMEMBER, DEVELOPERS WILL BUILD AND BUILD, AND NOT CARE WHETHER THE PEOPLE COME OR HAVE THE SERVICES AND BEAUTY THAT THEY WANT.**
- 5. GREED AND POOR MANAGEMENT, NOW, WILL POTENTIALLY LEAD TO THE SLUM OF TOMORROW.**
- 6. YOU'VE HEARD THE HORROR STORIES OF URBAN SPRAWL THROUGHOUT THIS NATION.**

DO NOT LET IT HAPPEN HERE!!!

**KEN MCFARLAND
24517 E. GAGE ST.
LIBERTY LAKE, WA. 99019**

WITHERSPOON, KELLEY, DAVENPORT & TOOLE

A PROFESSIONAL SERVICE CORPORATION
ATTORNEYS & COUNSELORS

ROBERT L. MAGNUSON
NED M. BARNES
WILLIAM D. SYMMES**
ROBERT H. LAMP
K. THOMAS CONNOLLY
THOMAS D. COCHRAN
DUANE M. SWINTON
JOSEPH H. WESSMAN
JEFFREY L. SUPINGER*
LESLIE R. WEATHERHEAD*†
MICHAEL D. CURRIN
BRIAN T. REKOFKE*
EDWARD J. ANSON**
R. MAX ETTER, JR.*
MICHAEL F. NIENSTEDT*
JOHN M. RILEY III
DENNIS M. DAVIS**
F.J. DULLANTY, JR.
DANIEL E. FINNEY
MARY R. GIANNINI*†
TIMOTHY M. LAWLER
WILLIAM M. SYMMES*†
MARK A. ELLINGSEN*
STANLEY M. SCHWARTZ*
DAVID M. KNUSTON
JODY M. MCCORMICK†
MICHAEL L. LOFT*†
ROSS P. WHITE
RICHARD L. MOUNT
JOEL P. HAZEL*
ROBERT J. CALDWELL*
ANDREW J. SCHULTHEIS**
SHELLEY N. RIPLEY
CHRISTOPHER G. VARALLO*†
KIMBERLY A. KAMEL*
RYAN M. BEAUDOIN*
STACY A. BJORDAHL
PATRICIA L. JOHNSON
LARA L. HEMINGWAY
RICHARD A. REPP*
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RYAN K. JENSEN
TRACY N. LEROY**
JULIE H. OLDS*
JASON R. WHITELEY*
GEANA VAN DESSEL
STEVEN J. DINSON

OF COUNSEL

Wm. A. Davenport
John E. Henth, Jr.
Alan H. Toole
Donald J. Lakes

* Also admitted in Idaho
† Also admitted in Oregon
‡ Also admitted in Montana
** Also admitted in California
+ Also admitted in New York
‡‡ Also admitted in Illinois
++ Admitted in Idaho only

PORTLAND OFFICE
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422 WEST RIVERSIDE AVENUE
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January 11, 2007

Received By
City of Liberty Lake

JAN 12 2007

City Clerk/Treasurer
Initials 

City of Liberty Lake
Planning Commission
22710 E. Country Vista Blvd
Liberty Lake, WA 99019

RE: City of Liberty Lake Urban Growth Area Proposal

Dear Commission members:

This letter is written on behalf of the Wallingford Marital Trust, which owns approximately 68 acres of property south of and adjacent to the City limits. See enclosed maps.

By way of background, we filed a request with Spokane County requesting that the Wallingford property be included within the Urban Growth Area (UGA) boundary during the 2006 UGA update. Because the City was preparing its own UGA proposal for consideration by the Board of Commissioners, we forwarded a copy of the request for consideration by the City as well.

Despite the property's proximity to the City limits, it has not been included in the UGA proposed by the City. Instead, the property is proposed as Urban Reserve. We respectfully request the Commission revise the proposed UGA to include the Wallingford property. The Wallingford property is a logical candidate for inclusion into the City's UGA because it is immediately adjacent to the existing City limits. Furthermore, the property is bordered on the east by urban density housing where water, sewer and other necessary services have already been extended. Development and extension of public services is also occurring to the north of the Wallingford property, in Legacy Ridge.

With respect to water and sewer service to the Wallingford property, the eastern portion of the property is located within the current service boundary of the Liberty Lake Sewer and Water District ("District") and the remainder is within the District's Future Service Area Boundary. See attached map. The Wallingford property is better suited for inclusion into the UGA because these urban services are available as opposed to much of the property which is presently included in the proposed UGA.

City of Liberty Lake
Planning Commission
January 11, 2007
Page 2

We appreciate there may be concern that the property is located within the Liberty Lake Watershed; however, any concerns that development may impact the watershed are speculative at best and will be mitigated through the implementation of existing development standards and regulations.

Except as discussed above, we support the City's preferred alternative as well as the City's commitment to plan for the population growth that will occur in the Liberty Lake area over the next 20 years.

If you need any additional information, please contact me. Thank you.

Sincerely yours,

WITHERSPOON, KELLEY, DAVENPORT
& TOOLE, P.S.

By

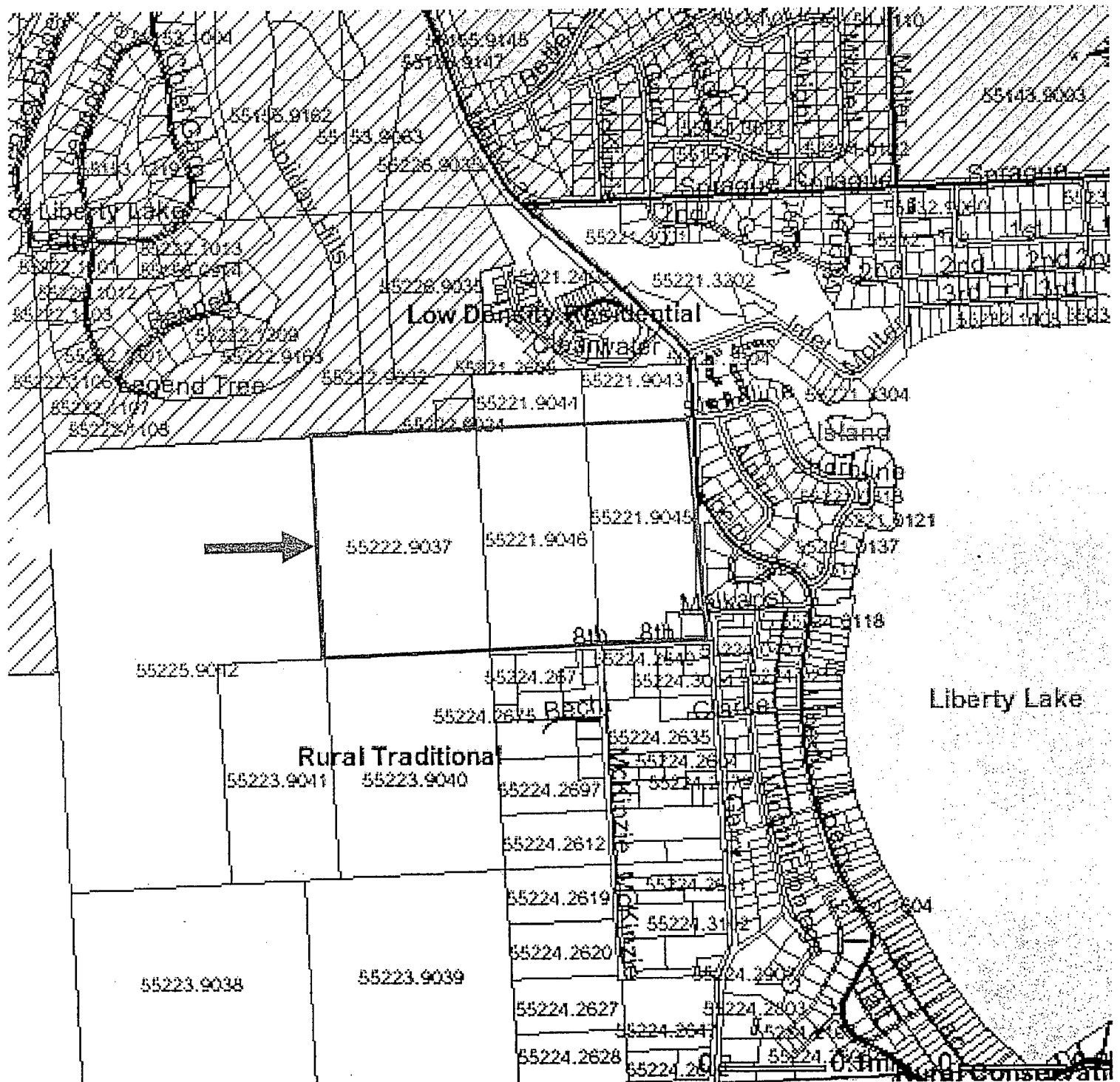


Stacy A. Bjordahl

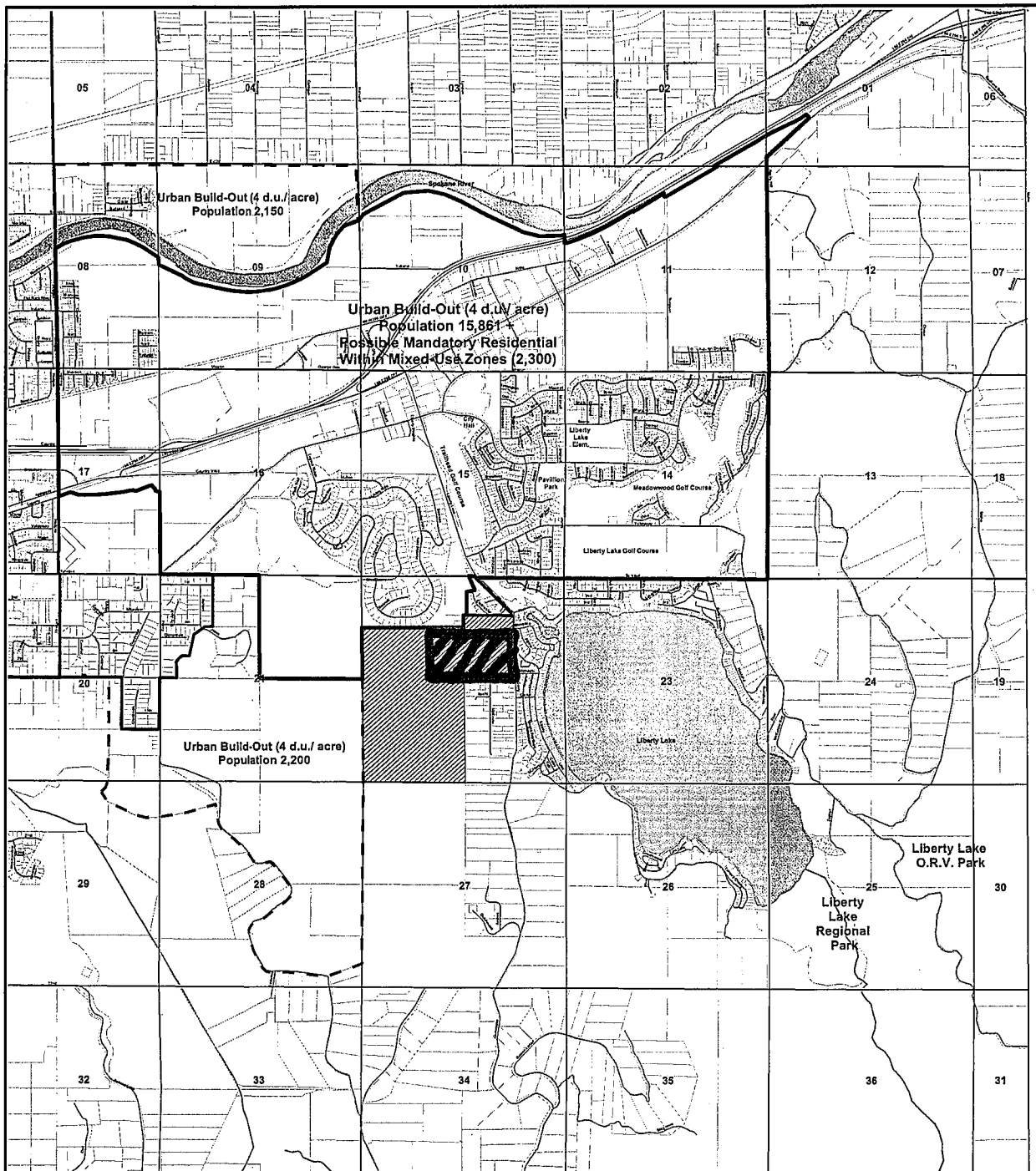
SAB/ab
Enclosures

C: Brad Wallingford

168 Request – Wallingford B. & L. - Washington Trust Bank



Comprehensive Plan



Wallingford Property

Map Legend

Map Location









Due to map scale, some streets may not be labeled.

This map is for informational purposes only and is not a legal document.

UGA Preferred Alternative Map

Map Created - December 12, 2006

For information please contact
The City of Liberty Lake
Community Development Department
509-755-6708

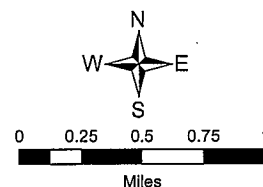
	City of Liberty Lake		Proposed Urban Reserve
	Existing UGA Boundary		Water Bodies
	City of Spokane Valley		Sections
	UGA Preferred Alternative		Parcels



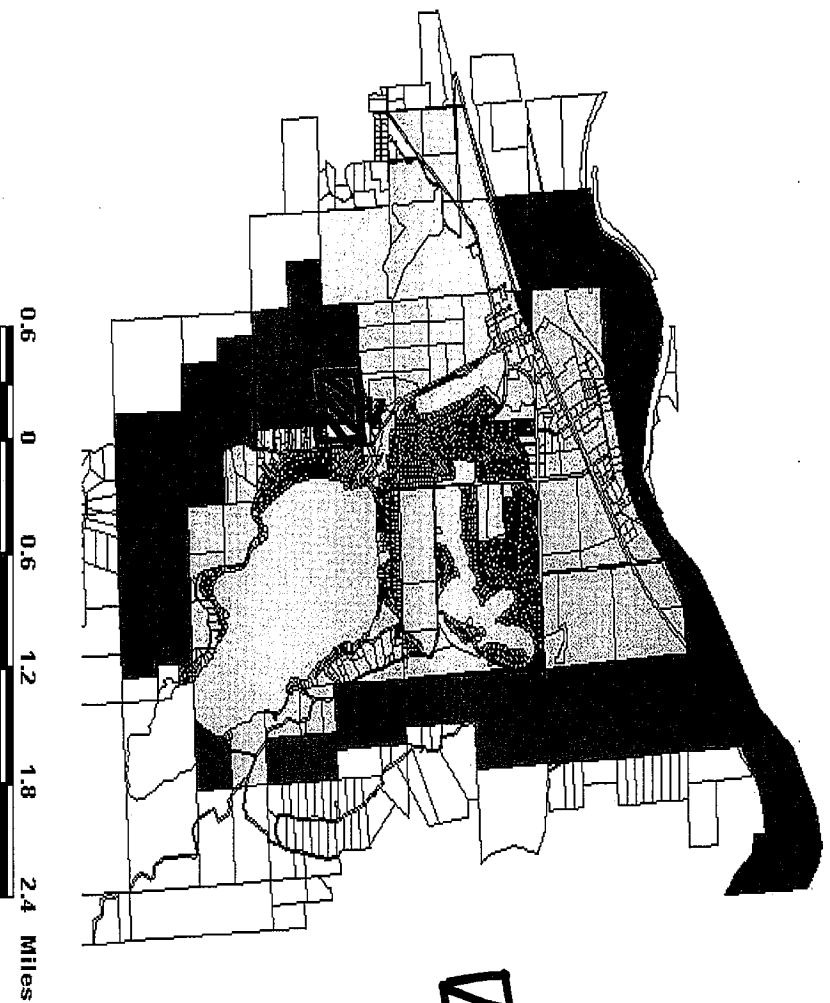
Map area is contained within
T 25 N, R 45 E, W.M.



UGA Preferred Alternative Map

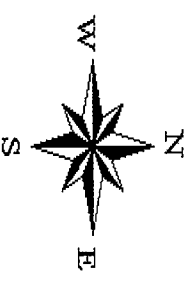


Liberty Lake Sewer and Water District Service Area Boundary



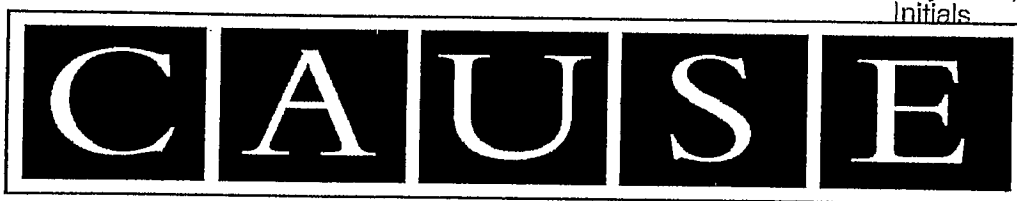
Wallingford Property

Parcels
LLSWD District Boundary
Future Service Area Boundary



JAN 12 2007

City Clerk/Treasurer
Initials *JS*



Community Addressing Urban Sprawl Excess

P.O. Box 621, Liberty Lake, WA 99019-0621

January 12, 2007

City of Liberty Lake

Planning Commission Members:

Steve McElvain, Bill Jeckle, Jeff Hoover, Sheila Bell, Neal Olander, Craig Singer, Stan Jochim, and Randy Grinalds
22710 E. Country Vista Blvd
Liberty Lake, WA 99019

RE: Comments on UGA Boundary Alternatives

Dear Ladies and Gentlemen:

I strongly urge you to vote Option #1 or "No Action" regarding moving the Urban Growth Area. There simply isn't a good reason to do it yet there are many, many excellent reasons to leave the UGA boundary where it currently is.

These reasons include:

The community has overwhelmingly spoken out against this action. Nearly 100 people have testified before the Commission and over 430 citizens have signed a petition against this action. I encourage you to listen to them.

The new population allocation can indeed be accommodated within the current Urban Growth Area by approving more developments like the Villages. The Land Use Quantity Analysis clearly shows this. And since the population allocation can be accommodated within the existing UGA, there is no reason to expand it at this time.

Lands within the proposed Preferred Alternative are clearly not suitable for urban development, a major criteria of the Growth Management Act. This includes lands designated as rural traditional and land designated as critical aquifer recharge areas.

The infrastructure is not in place for potential urban development of this magnitude. There is no plan for stormwater drainage or supplying water. There is a critical shortage of school space for our children. Ask yourself if you want to promote potential development without regard for the education of our children -- voting to expand the UGA will surely do so.

Last, and very importantly, there is no fiscal analysis of the financial impact to the existing members of the community. The Planning Department has not released the important document, the Capital Facilities Plan that addresses this issue. How much will it cost to build and maintain all the new roads, sidewalks, sewer systems, water systems and schools? One estimate for building just one middle school and one elementary school is \$60,000,000. A freeway interchange is going to cost another \$25 million. \$85 million, and this is before a shovel ever hits the ground!

Please listen to the members of your community, not the developers, and vote to not move the UGA.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Shirley".

STEVE SHIRLEY
President, C.A.U.S.E.

Amanda Tainio

From: Charles Kögler [ckogler@cet.com]
Sent: Sunday, January 07, 2007 2:01 PM
To: dsmith@libertylakewa.gov; atainio@libertylakewa.gov; mwren@libertylakewa.gov
Cc: 'Davenport, Steve'; 'Steve Shirley'
Subject: Comments on proposed Preferred UGA alternative

To: Liberty Lake City Planning Department:

Dear Sir/Madam:

Please forward the attached comments to the Liberty Lake Planning commission and make them part of the official public record regarding the Preferred UGA Alternative. Also, please acknowledge receipt of this email and attachment (acknowledgement by email is fine).

Thank you for your time and consideration.

Sincerely,

Charles and Barbara Kogler
1221 S. McKinzie Road
Liberty Lake, WA 99019
509-255-6120

1/8/2007

January 7, 2007

To: Liberty Lake Planning Commission AND
SEPA Responsible Official, City of Liberty Lake
Doug Smith, Director
Liberty Lake Planning and Community Development Department
27710 E. Country Vista Drive
City of Liberty Lake, WA 99019

From: Charles and Barbara Kogler
1221 South McKinzie Road
Liberty Lake, WA 99019

RE: Written Comment on: Unsuitability of Preferred UGA alternative.

Dear Sir/Madam:

We ask the Liberty Lake Planning Commission to reject the Preferred UGA alternative recommended by the Liberty Lake Planning department. The only two alternatives of the original ones that we could support are either option 1 (no change to existing UGA) or option 3 (NW expansion).

We are very concerned that the type of growth resulting from the Preferred UGA alternative proposal will have significant negative effects on the quality of life for the larger Liberty Lake community, including those within the current city limits. The issues are many; overcrowded schools, traffic congestion, lack of sewer/water capacity, destruction of wildlife areas, impact on lake watershed and water quality, and the destruction of the fundamentally rural nature of the area to the south and west of the current city limits.

We feel that the City of Liberty Lake should first look at the growth that can be accommodated inside the current city limits, using currently undeveloped land inside their current UGA to accommodate as many of the 15386 people that were part of the initial allocation from the county as possible and request a reduction downward if all cannot be planned for inside current city limits.

If the Preferred UGA alternative proposal is adopted, we will be firmly on the overcrowded road that communities like Issaquah and Bellevue have followed. We have visited the Seattle area several times a year for 26 years, and in the 1980's we would always stop in Issaquah and remark about its beauty and how it would be a nice place to live; by the 1990's it was a "nice place to visit, but wouldn't want to live there", and in the past 5 years we don't even get off the freeway to visit due to the congestion. Please don't allow that to happen here in the Liberty Lake area.

During our 26+ years here, we have certainly observed growth, but it has generally been in small chunks (a house at a time, often) consistent with the current rural zoning. We

can support this type of growth continuing, because it doesn't allow greater impact than can be planned for, and allows for orderly planning of needed infrastructure and mitigation of effects on wildlife, lake quality, etc.

Thank you for your consideration of our viewpoints.

Sincerely,

Charles and Barbara Kogler
1221 South McKinzie Road,
Liberty Lake WA 99019
509-255-6120

To: Doug Smith
Planning & Development
City of Liberty Lake

Received By
City of Liberty Lake

JAN 12 2007

From: Keva Monson, Resident
Liberty Lake

City Clerk/Treasurer
Initials

3:55

Re: Why The City of Liberty Lake's
Preferred Alternative
Is Not Acceptable.

- A. Because a developer wants to develop is not a valid reason
to change the Urban Growth Area (UGA).

WALLINGFORD MARITAL TRUST Requested inclusion in a UGA June 20,
2005.

- 67 acres
Zoned: Rural Traditional

BLACK ROCK (BMRC) Requested inclusion in a UGA April 28, 2006.

- 79.39 acres, purchased 6/05
- 906.71 acres, purchased 11/04 from Saltese Farm Syndicate (Thomas Smith &
Logan H. Jorgens, Managing Members).
This included acreage included in the PUD approved by the county in 2003.

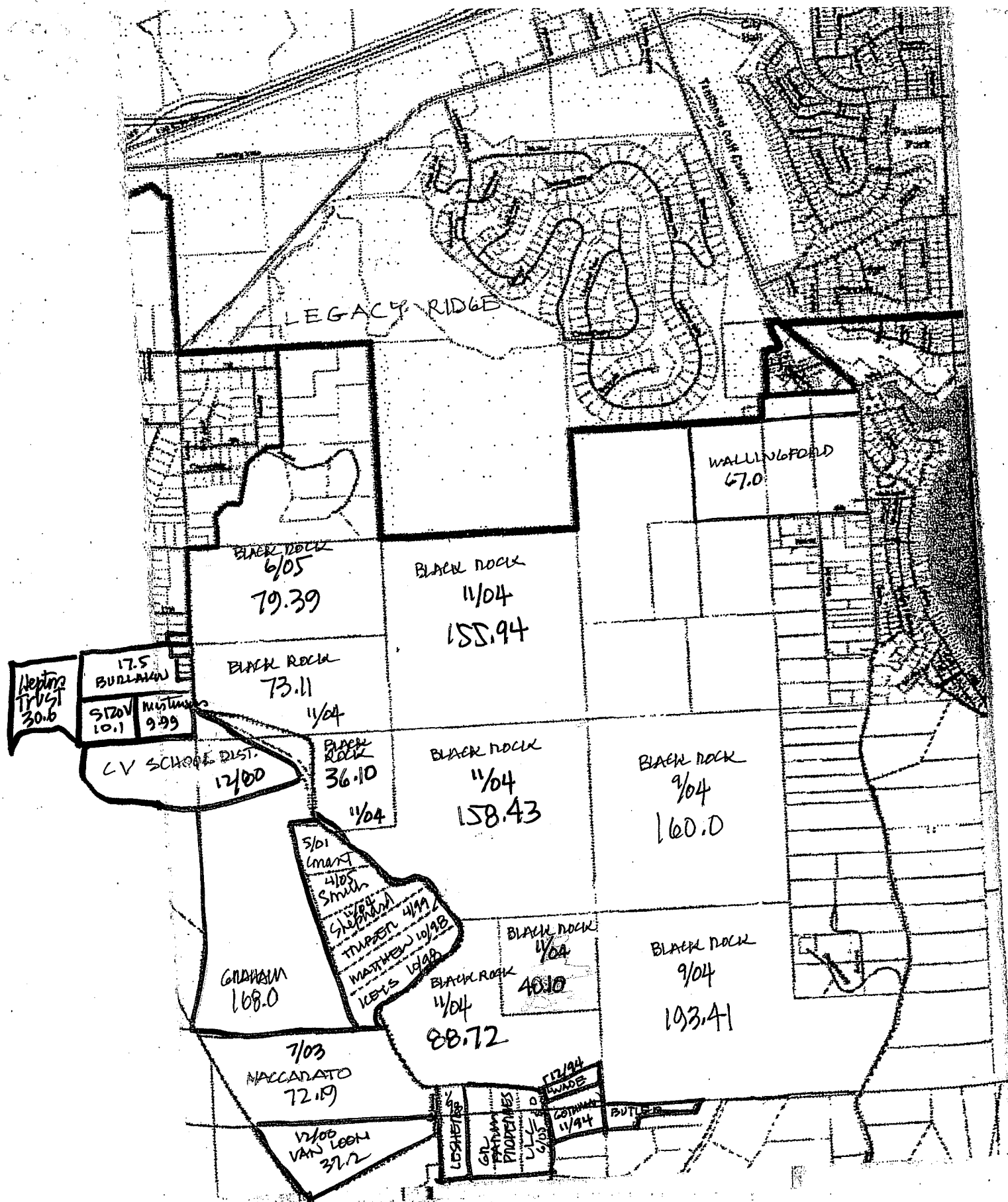
Plans to expand the Liberty Lake Urban Growth Area were first filed with the
County Nov. 10, 2005. 2

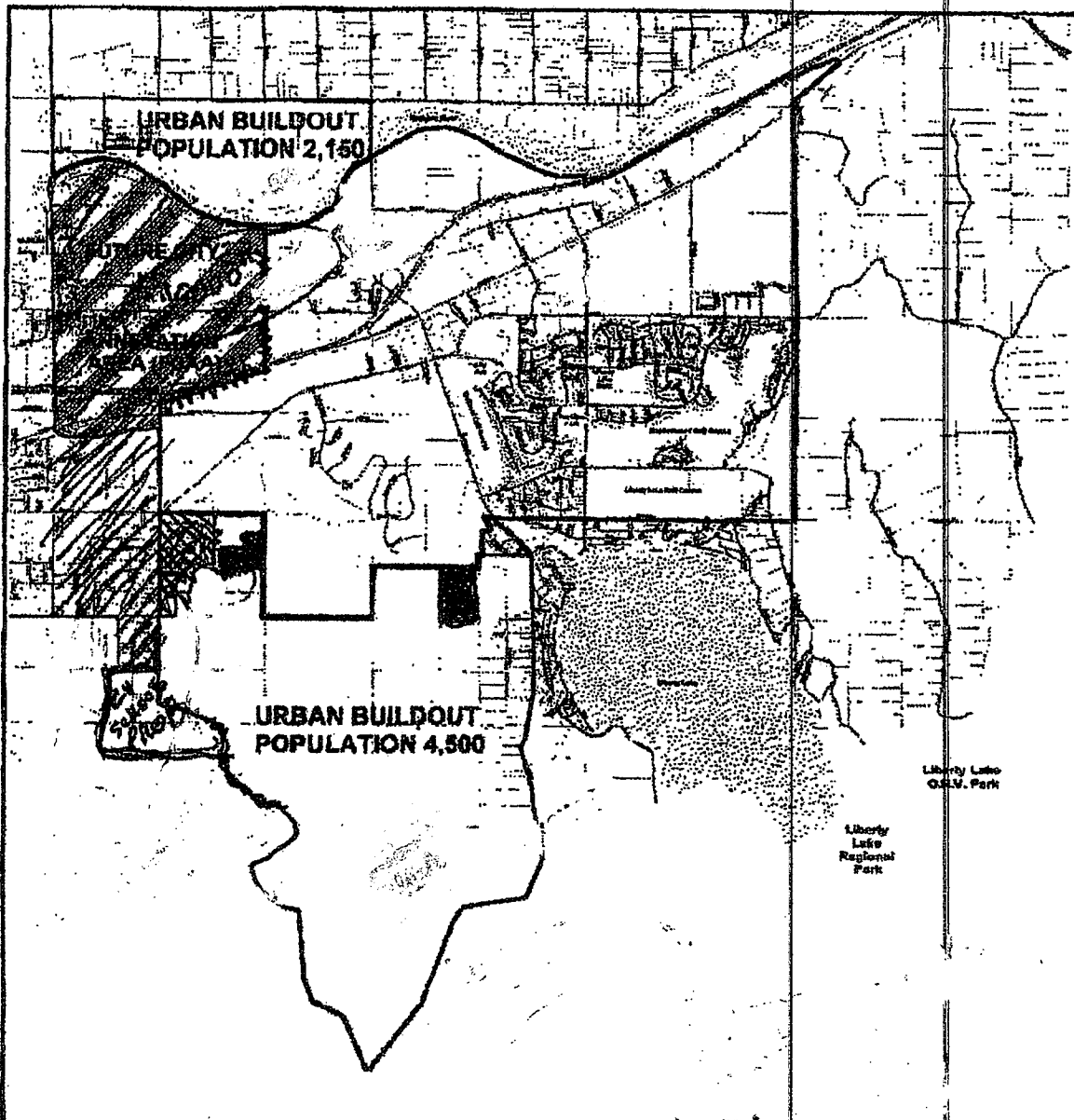
- B. All of the land in the City of Liberty Lake's Preferred Alternative is:
Zoned rural traditional or Rural Conservative, which is not to be included
in a UGA. (This is language approved by the County Commissioners Aug.
15, 2006, in the Screening & Evaluation Criterion for the GMA
Comprehensive Plan Update.)

My comments:

1. The developers bought farmland, knowing it was farmland, then demanded zoning be changed to allow their developments.
2. Longtime designations such as open space, wildlife corridors, critical areas with geohazardous formation, native vegetation, topography suited to aquifer recharge should not become obsolete because a developer, a city, or some other entity has other plans.
3. The Coeur d'Alene Tribe established their presence on this hill 8000 years ago.

We should honor this pristine area for what it is and not move the UGA.





Due to map scale, some streets may not be labeled.
This map is for informational purposes only and is not a legal document.

Liberty Lake Future City Annexation Areas, Proposed UGA, & Potential City Annexation Areas

Date Produced
November 10, 2005
For information please contact
The City of Liberty Lake Planning & Community Development Department
509-755-5708

Legend

- City Boundary
- UGA Boundary
- City of Spokane Valley
- Future City Annexation Area (FCAA)
- Proposed UGA & Potential Annex. Areas

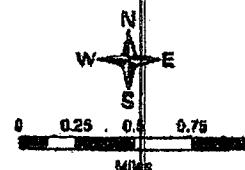
Map Location



Map area is contained within
T25N, R45E, W4M.



City of Liberty Lake



Planning Commissioner

Received By
City of Liberty Lake

JAN 12 2007

City Clerk/Treasurer
Initials 

January 12, 2007

To: Liberty Lake Planning Commission
Doug Smith, Director Liberty Lake Planning and Community Development
Department
Steve Peterson, Mayor
Liberty Lake City Council

From: Patty Weiser
1009 N Drury Ct.
Liberty Lake, WA 99019

Re: UGA Expansion, preferred alternative

I originally became involved in growth issues because of my concerns regarding levels of service in the Central Valley School District and the impact poorly planned growth would have on that level of service. This is important because the quality of education a school district provides adds tremendous value to a community as well as an impact to a community's future.

After the City suggested a preferred alternative and prepared the Environmental Impact Statement, I decided that I needed to really review what others felt about growth in the Liberty Lake area. I concentrated on Agency responses because I felt they would provide an unbiased, experienced view of the situation. I reviewed the agency response, prepared a summary for my own needs (please see attached) and reflected for quite some time.

Quite frankly, I was amazed. Agency after agency expressed concerns with the direction of this growth – concerns with process, the science used, as well as a lack of information provided. Below is just a sampling of quotes (emphasis is mine):

- The alternatives **"imply significant, but varied unfunded need for new transportation and capital facilities"** (Washington Dept. of Community, Trade and Economic Development)
- WDFW does not consider this draft of the **EIS to be a comprehensive or complete document. It is unclear what scientific information or other sources were used to support the information.** (Washington Department of Fish and Wildlife)
- UGA Alternatives #2-7... **do not have adequate existing transportation facilities** to accommodate urban densities (Spokane County Department of Engineers and Roads)
- The DEIS **does not provide specific, text, data, analysis to demonstrate** how the traffic from this proposed annexation impacts Transportation and Circulation... The EIS needs to identify what the impacts are to the transportation system by the preparation of a traffic analysis... (The DEIS) **contains none of this need crucial**

technical information to justify the mitigation options presented. (Washington State Department of Transportation)

- WSDOT also wrote, regarding modifications to the Interstate Highway System, "To date no technical information has been submitted to WSDOT for review or comment in conjunction with this process. **To prejudge the outcome of a process that has not yet begun by suggestion mitigation on facilities outside the approval purview of the city without concurrence from the approving agencies is not appropriate.**" (Washington State Department of Transportation)
- Double shifting (a city suggested mitigation factor for schools) **will reduce the level of service.** (Central Valley School District)
- The mitigation measures recommended **lack supporting traffic data, explanation of methodology, and documentation of analysis.** (City of Spokane Valley)
- We believe it is a **mistake**...to annex properties in two different fire districts because of the disparity in service levels and potential problems that disparity could create. (Spokane Valley Fire Department)
- From a broader perspective...should include analysis of existing/adjacent UGAs and analysis of areas to be designated as Urban Reserve areas...additional analysis and evaluation of how the various alternatives follow the criteria and procedures in the Countywide Planning Policies **should be provided.** (Spokane County Department of Planning)
- In addition, the Spokane County Department of Planning referred many times to the ability of the city to reduce its initial population projection allocation. The city's response mentions (emphasis mine). **"Liberty Lake does not view reductions in the level of service as an acceptable mitigation matter."**

The City did provide comments to these statements and to paraphrase, the comments generally state the city feels it does not have to show how they will mitigate the impacts of this growth at this time (see a sampling of quotes below):

- DEIS does not attempt an environmental review of all transportation alternatives and mitigating matters.
- DEIS does not attempt to, nor is it required to, put forward every possible impact or mitigation measure, nor does it guarantee that the mitigation measures that are presented will be implemented.
- Not a comment on the adequacy of the DEIS but rather an expression of concern for various issues that will be addressed at the time of any project application.

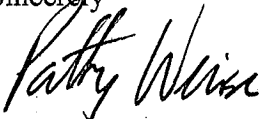
How are public officials and the general public going to have any true idea of the impacts of this expansion, how we will best mitigate those impacts, and what the costs of those mitigations will be if it is all to be done at a later time? Without this

information, any decision to expand the UGA is premature and unwise. There are several concerns with the expansion of the UGA:

- Process – There was no participation in the development of the UGA proposal by citizens or the City of Liberty Lake Planning Commission. In addition, statements and actions by city officials have greatly added to the divide between the city and its own citizens as well as its neighboring public
- Planning – there seems to be little planning done to date:
 - Where is the fiscal analysis of the public costs and revenue sources needed for an expanded UGA including initial capital investments and ongoing operation and maintenance costs for city streets and the interstate transportation system, sewer, water, fire protection, police protection, schools, parks and trails, and city administration?
 - Where is the traffic analysis which should be prepared by qualified experts in transportation?
- There are questions regarding water availability, sewer services, as well as fire and EMS services
- Finally there is a very serious question about the capacity of our school system and ignoring this question has very serious consequences on the quality of education our children receive. Increased growth will impact the level of service provided by the district; an outcome the city has stated is “unacceptable” in other areas.

I am a realist and I understand that Liberty Lake is an attractive place to live and that people will move here and with that in mind, growth is a part of our future. How we plan for that growth is the true question. Will we do it in a way that is fiscally responsible, protects the environment, and does not overburden the infrastructure? Will we do it in a way that builds a true community, respectful of opinions and people who live both inside and outside the city? Given the very real concerns over the process, the science, the fiscal impact, and the impact on the infrastructure, the preferred alternative does not represent well planned growth and I urge you to recommend NO on the preferred alternative and suggest to the city that it reduce its preliminary population allocation number in order to allow future growth to occur within existing UGA boundaries.

Sincerely

A handwritten signature in cursive script that reads "Patty Weiser". The signature is written in dark ink and is positioned below the word "Sincerely".

Patty Weiser

Summary of Agency Response to Liberty Lake DEIS

Washington Department of Community, Trade and Economic Development

- Mentions framework for including land
 - 1st – areas already characterized by urban development and containing urban services
 - 2nd – Areas characterized by urban development but not containing necessary urban services
 - 3rd – new growth should be directed to areas adjunct to areas characterized by urban growth but not yet containing urban service
 - Do not include expansion into areas designated agricultural resource land , land identified as frequently flooded, or aquifer recharge areas
 - City response – not a comment on adequacy of DEIS but rather advice on criteria for focusing urban growth in certain areas
- Suggest having a Cost benefit analysis
 - Evaluate what is to be included based on
 - What is its value
 - By comparing the amount of new capacity available relative to its cost, both fiscal and environmental
 - Also use information about watershed health, value and vulnerability
 - City response – cites WAC 197-11-450 which states a cost benefit analysis is not required by SEPA and “for purposed of complying with SEPA, the weighing of the merits and drawbacks of various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations” (emphasis in FEIS)
- Mentions that the population allocation may not be found valid in coming months and is so, discussions of alternatives may focus on alternatives #1 and #3
- DEIS is silent on redevelopment and infill in existing areas of the UGA. City response – not a comment on the adequacy of DEIS but rather advice on criteria for focusing urban growth in certain areas
- Six alternatives “imply significant, but varied unfunded need for new transportation and capital facilities. **RCW 36.70a070 requires a transportation element and a capital facilities element that develops a financially realistic assessment of how adequate public facilities will be provided that is consistent with the land use element. If new land is urbanized the plan must show how it will be provided with adequate facilities and how those facilities will be financed**”. City response – the referenced RCW refers to requirements for comprehensive plans and not SEPA documents. These concerns will be addressed at the appropriate time.
- Evaluate the impacts and costs regarding transportation not only to county system, but also to the state highway system and to the urban arterial networks in affected cities. City response – DEIS does not attempt an environmental review of all transportation alternatives and mitigating measures. Such detailed analysis may be considered as part of the annual updates of the City and County 6-year Transportation Improvement plans, as individual improvement projects are undertaken, and upon application of specific projects so appropriate actions can be taken at that time. The DEIS does not attempt to, nor is it required to, put forward every possible impact or mitigation measure, not does it guarantee that the mitigation measures that are presented will be implemented.

Washington Department of Fish and Wildlife

- “WDFW does not consider this draft of the EIS to be a comprehensive or complete document. It is unclear what scientific information or other sources were used to support the information in the DEIS...Even given the non-project status of this DEIS, the City should have taken a comprehensive look at the scientific information that exists on the habitats within the proposal areas.” City response – contacted the Department many times and did not receive information mentioned in letter.
- The DEIS does not provide very through review of the impacts of expansion. City response – the DEIS does not attempt to, nor is it required to, put forth every possible impact or mitigation measure....

- Specific Concerns (not all are included in this summary)
 - Portions of the Liberty Lake watershed are within the proposed UGA and much of this area is not compatible with urban development densities
 - Didn't account for small springs and small surface streams
 - Missed impacts to Quinnamose Creek and surrounding habitat
 - Missed mitigation components related to the replacement of culverts currently blocking fish passage
 - Did not include the mitigation measure of setting aside land – conservation strategies
 - No comprehensive collection of specific species or habitat information – incomplete
 - Need a mitigation measure or strategy regarding the restoration of riparian areas
 - WDFW suggested **"the City do more and seriously explore options under the Alternatives. This suggestion was not seriously considered by the City..."** City response – the DEIS broadly examines the impacts of a range of strategies for accommodating projected growth. This is a non-project DEIS, and the concerns of the writer cannot be addressed until and if specific project applications are received. Further environmental review will occur at that time.
- Overall City response – lengthy but generally not a comment on the adequacy of the DEIS but rather an expression of concern for various issues or not required to put forward every mitigation measure

County Engineering and Roads

- **"UGA alternatives #2-7 include areas within Spokane County that have been traditionally developed to a suburban or rural density and do not have adequate existing transportation facilities to accommodate urban densities...planning will require changes to the Spokane County Arterial Road Plan and text changes in the Transportation Section of the Spokane County Comprehensive plan and Capital Facilities Plan."**
- Storm drainage – portions of the proposed area would include an area designated as seasonal marsh and floodplain
- Soil in the proposed area are considerably different from the soils predominate in the current City of Liberty Lake and these soils do not infiltrate water as well as other soils and also tend to be worse sub grade for structure and roadways. "These characteristics combined with the steeper topography will significantly affect the density and expense of development. This should be factored into the area required to support the population increase."
- City response – Not a comment on the adequacy of the DEIS but rather an expression of concern for various issues that will be addressed at the time of any project application.

Washington State Department of Transportation

- **"In reviewing the DEIS...WASDOT does not agree that the impacts to the Interstate transportation system have been adequately addressed."**
- The Liberty Lake Mitigation Plan is currently being updated but this process is not yet completed. "The impacts for this potential development should not be considered mitigated at this time as this updated plan has not been finalized nor have the mitigations been agreed to."
- **"The DEIS does not provide specific text, data, analysis to demonstrate how the traffic from this proposed annexation impacts Transportation and Circulation. WSDOT requests that this information be provided for review."**
- (Referring to Section 3.8.3) **"This section...raises concerns. Detailed mitigation measures involving the Interstate system are presented, but they are not supported by any documented analysis and they raise a number of questions...The EIS needs to identify what the impacts are to the transportation system by the preparation of a traffic analysis...this section...contains none of this need crucial technical information to justify the mitigation options presented":**
 - What are the quantifiable impacts to transportation facilities
 - Traffic data is not presented to support mitigation measures
 - What is the level of service prior to and after development
 - Regarding the mitigation matters, are they adequate and reasonably obtainable – there is a need for text data and analysis

- Have you included the Federal Highway Administration in this process as an agency of jurisdiction
- Regarding modifications to the Interstate Highway System. **"To date no technical information has been submitted to WSDOT for review or comment in conjunction with this process. To prejudge the outcome of a process that has not begun by suggestion mitigation on facilities outside the approval purview of the City without concurrence from the approving agencies is not appropriate"** (Doug stated in meeting the money is there and approval)
- Impacts to a number of areas are not addressed. **"WSDOT was not contacted until the DEIS was issued. The impacts to these interchanges and intersections needs to be address. WSDOT must be afforded an opportunity to review and comment on this information."**
 - Barker Road/I90
 - Idaho Road/I90 interchanges are not mentioned
 - Henry Road/I90 interchange and Bridge **"Please address how the proposed mitigation can be suggested as a valid option to proceed forward with this proposal without consensus or agreement on the feasibility of the added interchange between the approving agencies? Additionally what is the impact from this proposal (need to quantify)? What is the expected LOS before and after annexation? A traffic study needs to be prepared to identify the impacts and substantiate the benefits of the proposed mitigation"**
 - Harvard/I90 – interconnection between interchanges has not been addressed
- The DEIS **"lacks necessary traffic information and analysis to identify what the impacts...are likely to be. Without this information it is impossible to determine what mitigation measures should be implemented...the mitigations proposed have not been approved or reviewed by WSDOT or the Federal Highways and may not be appropriate or feasible."**
- City response – The DEIS does not attempt an environmental review of all transportation alternatives and mitigating measures. Such detailed analysis may be considered as part of the annual updates to the City and County 6-Year Transportation Improvement Plan, as individual improvement projects are undertaken, and upon application of specific projects so appropriate actions can be taken at that time. The DEIS does not attempt to, nor is it required to, put forward every possible impact or mitigation measure, nor does it guarantee that the mitigation measures that are presented will be implemented. The DEIS broadly examines the impacts of a range of strategies for accommodating projected growth. This is a non-project DESI, and the concerns of the writer cannot be addressed until and if specific project applications are received. Further environmental review will occur at that time.

Central Valley School District

- "...Central Valley School District should be able to serve students at current levels of service until fall 2008. We expect that additional school facilities will be required to maintain current levels of service for enrollment expansion beyond that time."
- General comments regarding mitigation: **"...place the burden of mitigating school impact of future residential development on the school district, rather than on the future developer(s)...These mitigation measures ask that the school district "work with", "examine" and "seek approval". None of these actions can ensure school facilities which maintain...level of service...Principal responsibility for assuring adequate public schools prior to approving residential development rests with the approving jurisdiction..."** The district goes on to cite:
 - RCW 58.17.110(1) and (2) requires jurisdictions determine if appropriate provisions for schools and school grounds have been made, and these findings be put in writing before residential development is approved (Note – the DEIS is not approving development)
 - GMA requires that the land use element of the approving jurisdictions Capital Facilities Plan be reassessed if probable funding for capital facilities is insufficient. The act also requires the jurisdiction provide written findings that appropriate provisions have been made for schools and school grounds (WAC 365-195-825(4)(a))
 - Spokane County Comprehensive Plan also mentions adequate facilities prior to development (see note above)
 - Also cites City's Capital Facilities Plan (see note above)
- Comments on specific mitigations
 - MM #1 – already being done to the District's best ability

- MM #2 – “CVSD should work with City of Liberty Lake...to ensure consistency.” District has invited city and county to participate in planning efforts. **“The school district has not been successful to date in ‘ensuring’ that either the City...or county effectively provide for adequate school. A city representative recently stated in a public meeting regarding UGA alternatives that the city is not ‘required’ to condition UGA action, potentially resulting in substantial residential growth, on the needs of public schools.”**
- MM #3 – Bonds
- MM #4 – Smaller schools
 - DEIS suggests smaller schools might result in lower bussing costs. **“Cost of bussing, much of which is paid by the State of Washington, is however, not the issue at hand. Overall capacity to serve students is the school district’s primary concern.”** Furthermore, smaller schools require more sites and acquiring sites is difficult and expensive. Finally smaller schools may be less cost efficient due to fixed costs
- MM #5 – Impact fees – City has indicated conceptual support but has not yet implemented them and they do not cover the full costs of building facilities
- MM #6 – Double shifting will reduce the level of service
- City response – The DEIS does not attempt to, nor is it required to, put forward every possible impact or mitigation measure...Detailed analysis of impacts and implementation of mitigation measures will take place upon application of specific projects so appropriate action can be taken at that time.

City of Spokane Valley

- **“The transportation analysis was conducted without coordination of adjacent jurisdictions”**
- **“The mitigation measures recommended lack supporting traffic data, explanation of methodology, and documentation of analysis”**
- Development will increase traffic on arterials – there is no evaluation of impact
 - Euclid
 - Barker
 - State Route 290
 - Mission
 - 8th Avenue
 - Sprague
 - Appleway
- Interchange is not approved – need analysis of the traffic impact if it is not approved in the future
- City response – The DEIS does not attempt an environmental review of all transportation alternatives and mitigating measures. Such detailed analysis may be considered as part of the annual updates to the City and County 6-Year Transportation Improvement Plan, as individual improvement projects are undertaken, and upon application of specific projects so appropriate actions can be taken at that time. The DEIS does not attempt to, nor is it required to, put forward every possible impact or mitigation measure, nor does it guarantee that the mitigation measures that are presented will be implemented.

Department of Archeology and Historical Preservation

- **“There are multiple recorded archaeological sites in the City of Liberty Lake not mentioned in the text of the EIS.”**
- Conduct archeological surveys prior to development

Spokane Valley Fire Department

- **“We believe it is a mistake...to annex properties in two different fire districts because of the disparity in service levels and potential problems that disparity could create.”** City response – not a comment on the adequacy of the DEIS, but rather an expression of preference for a particular planning outcome. \
- **“...it follows that the increase development will have a more significant impact on fire and EMS services that then the existing land use. This impact difference has not yet been identified in your draft.”** City response – The DEIS does not attempt to, nor is it required to, put forward every possible impact or mitigation measure...

Coeur d'Alene Indian Tribe

- No notification
- Do tests before development

Department of Ecology – SEPA Coordinator

- Describes things that should or must occur prior to development

Spokane County Department of Planning (does not include a summary of every concern raised by the County Department of Planning)

- **“...the fact sheet timeline illustrates a sequence of events inconsistent with review of Urban Growth Area Boundaries.”** City response – The Steering Committee was identified on the fact sheet consistent with County wide planning policies.
- **“...DEIS not identified as “integrated document” so how would the FEIS become an “integrated document. Also, the sequence of reviews and possible adoption should be revised consistent with the UGA amendment process per the adopted Countywide Planning Policies.”** City response – the sequence and process identified is consistent throughout the document and with Countywide Planning Policies.
- Asks for more detailed information and explanation than what is included on maps
- **“Please quantify how the various alternatives would have ‘more impact to air quality’?”** City response – Increased travel times will impact air more than few trips and less travel time.
- **“Does the existing sewer treatment system have the capacity to accommodate conversion of existing septic systems and is there any analysis to support this mitigating measure?”** City response – The DEIS broadly examines the impacts on a range of strategies; further it is an expression of policies considered important for implementation by the City of Liberty Lake.
- **“Identify the source of Table 3.1.”** City response – Chart of Typical Noise Levels from various sources.
- Multiple references to adding a mitigating measure of reducing population allocation. City response – The City of Liberty Lake is planning for the projected population growth anticipated to occur within the 20 year planning period. Liberty Lake does not view reductions in the level of service as an acceptable mitigation measure.
- Regarding sewers – **“how much...is ‘available’ to serve the various UGA alternatives? Any improvement to the existing treatment plan need to identified and adopted within an update 6-year Capital Improvement Plan.”** City response – Best available information is included with the Liberty Lake's Capital Facilities Plan and the County's Comprehensive Waste Management Plan.
- Spokane Regional Transportation Commission **“certification of UGA alternatives should be part of the DEIS to determine capacity of existing transportation infrastructure and assist in identifying capital improvements to provide concurrency...”** City response – This is understood and Liberty Lake is providing the model for transportation concurrency through local planning efforts.
- Land Use Analysis (cannot find reference in County letter)
 - Clarify “not developable acres”
 - DEIS is incomplete
 - Quantify how number is reached
- **“ From a broader perspective...should include analysis of existing/adjacent UGAs and analysis of areas to be designated as Urban Reserve areas...additional analysis and evaluation of how the various alternatives follow the criteria and procedures in the Countywide Planning Policies should be provided. An evaluation should be made of each applicable policy with Policy Topic...”** City response – Liberty Lake will accept this comment and expect to see that type of analysis with the County's EIS.

Spokane County Utilities

- The Northwest section – providing sewer services would be difficult – going across the river is the best approach. City response – not a comment on the adequacy of the DEIS but rather an expression of preference for a particular outcome.
- No wetlands should be included
- Property west of Henry not included in any sewer providers area (not in preferred alternative)
- Impacts list "expansion in UGA results in a decrease in the proliferation of on-site septic systems..." – likely scenario is that low density development will instead occur in areas outside UGA as opposed to within the areas proposed for the expanded UGA
- Infiltration inflow abatement program (regionally) - county doesn't have this program – believe you are referring to a City of Spokane program – which has no effect on the capacity that may be available to areas considered. City response – the DEIS does not attempt to, nor is it required to, put forward every mitigation measure...
- Mentions that a statement in the DEIS is not clear. City response is as noted in the previous comment.

Spokane County Air Pollution Control

- Discussion of requirements of construction

Amanda Tainio

From: Cindy Smith [csmith@libertylakewa.gov]
Sent: Friday, January 12, 2007 4:25 PM
To: 'Doug Smith'; 'Amanda Tainio'
Subject: FW: Website Contact Form

From: City of Liberty Lake [mailto:libertylake@swchosting.net]
Sent: Friday, January 12, 2007 3:57 PM
To: libertylake@swchosting.net
Subject: Website Contact Form

Name: Jan Wesche
E-Mail:
Phone:
Address:
City:
State:
Zip:
Preferred Contact Method: Phone
Preferred Contact Time: Any Time

January 12, 2007
To the Mayor of Liberty Lake
To the Director of Planning of Liberty Lake,

I am very much opposed to moving the UGA line to the west of Liberty Lake to accommodate Mr. Chesrown's intended second development. One person's desire should never prevail over the will of the people who testified many times at the hearings held by the Spokane County Commissioners. They subsequently placed the UGA line at its current location in response to that testimony. Please do not approve a rezoning of the land from rural to urban and allow the density of homes that this change would allow.

The officials of Liberty Lake who are promoting this for growth purposes have not yet addressed the infrastructure necessary to support the developments already approved.

I am even more opposed to the proposed Urban Reserve designation for the area located in the watershed of Liberty Lake. Keep the watershed free from any future possibility of urban development.

Thank you.

Jan Wesche
507 Shoreline Drive
Liberty Lake, WA 99019
(509) 255-6286.

1/12/2007